

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Jerry Lee Peete,

Civil No. 06-1602 (DWF/FLN)

Petitioner,

v.

ORDER

Warden R. L. Morrison,

Respondent.

Jerry Lee Peete, *Pro Se*, Petitioner.

W. Anders Folk, Assistant United States Attorney, United States Attorney's Office, counsel
for Respondent.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by
United States Magistrate Judge Franklin L. Noel dated August 14, 2006, all the files and
records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that to the extent Petitioner seeks an order that the
Bureau of Prisons reconsider the length of time Petitioner should be assigned to an RRC
pursuant to the factors set forth in 18 U.S.C. § 3621(b), the petition is **GRANTED**. *See*

Fults v. Sanders, 442 F.3d 1088, 1190 (8th Cir. 2006). To the extent that Petitioner seeks an immediate assignment to an RRC, the petition is **DENIED**.

Dated: September 12, 2006

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court